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REEDER, BLAINE & GRIFFIN
DALLAS

No. 561

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IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM 1942

HIRAM R. EDWARDS,

Petitioner

v/s.

UNITED STATES OF AMERICA,

Respondent

MOTION FOR REHEARING

MACK TAYLOR,
711 Fort Worth National Building,
Fort Worth, Texas,
Attorney for Petitioner.



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To the Honorable Chief Justice, and the Honorable Associate Justices of the Supreme Court of the United States:

Now comes the Petitioner Hiram R. Edwards, and moves the Court to grant him a rehearing in this cause, and to set aside the judgment of denial of his petition for certiorari, and grant such petition, and for cause would respectfully show to the Court:

I.

The Court erred in denying such petition for certiorari because it is error for the trial court to hold that a witness under Section 22 (c) of the Securities Act of 1933, as amended, may waive his immunity theretofore claimed by answering preliminary questions propounded by his own counsel.

II.

The Court erred in denying such petition for certiorari because it was error for the trial court to overrule the petitioner's supplemental plea in bar, based on the contention that he was granted immunity from prosecution in this matter because he had testified before the grand jury concerning matters upon which he was thereafter convicted.

III.

The Court erred in denying such petition for certiorari because it was error for the trial court to fail to order the production of the Grand Jury records at which the petitioner testified, which records were sought by petitioner on the trial hereof as supporting evidence on his supplemental plea in bar.

We respectfully submit that all of these questions are worthy of review by this Honorable Court, and more particularly do we earnestly urge this court to reconsider it's judgment denying the petition, on ground number three of said petition, wherein we believe the trial court fell into the same error as it had on the previous trial of the Edwards case (312 U. S. 473). To us it appears academic that the motion of the petitioner for the production of the records of the Grand Jury proceedings had at Fort Worth, in this matter, falls directly in the line of the authority of *Edwards vs. U. S., supra.*

Wherefore petitioner respectfully prays this Honorable Court to grant his a rehearing and reconsideration herein, and that he be permitted to file additional briefs and additional arguments, in the discretion of the Court.

Respectfully submitted,

MACK TAYLOR,
Solicitor for Petitioner.

711 Fort Worth National Building,
Fort Worth, Texas.

Certificate of Counsel

I, the undersigned, Mack Taylor, attorney and solicitor for the above named Hiram R. Edwards, petitioner, do hereby certify that the foregoing petition for rehearing is presented and taken in good faith and not for the purpose of delay.

Mack Taylor.